

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AMES ASSOCIATES,

Plaintiff,

06 Civ. 928 (TPG)

- against -

ABS PARTNERS REAL ESTATE LLC, ABS
PARTNERS LLC, AB PARTNERS LLC,
ALTMAN/BURACK PARTNERS, LLC,
ARNOLD SCHONFELD, JOSEPH DEL
VECCHIO, THOMAS KEEGAN, and AL
ANSHELEWITZ,

Defendants.

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OPINION

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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By letter dated February 12, 2009, Ames Associates requests permission to amend its complaint to add Al's Best Electric Co. Inc. ("Al's Best") as a defendant in the instant action. While Al's Best was named as a defendant in the initial complaint, it was omitted from the amended complaint, because at that time, it had filed a bankruptcy petition. The bankruptcy application, however, was dismissed on February 4, 2009. The court therefore grants Ames Associates' request to amend the complaint.

There are fully briefed motions to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) currently pending before the court. The court assumes that this amendment will not prevent decision on the existing motions on the

existing record. If the record needs to be supplemented, it can be done, but promptly and briefly.

Dated: New York, New York
February 18, 2009

SO ORDERED


Thomas P. Griesa
U.S.D.J.